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Attorney for Defendant
 SUNWARE COMPUTER INC.

IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

10	SUN MICROSYSTEMS, INC.,)	Case No. C 09-03564 MHP
11	a Delaware corporation,)	
12)	STIPULATION AND [PROPOSED]
	Plaintiff,)	ORDER EXTENDING SUNWARE
13	vs.)	COMPUTER INC.'S TIME TO ANSWER
)	COMPLAINT AND EXTENDING
14	SUNWARE COMPUTER, INC.,)	INITIAL CASE MANAGEMENT
15	a California corporation,)	CONFERENCE AND ADR DEADLINES
)	[Fed. R. Civ. P. 6(b)]
16	Defendant.)	

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 18 Plaintiff Sun Microsystems, Inc. filed its Complaint for Damages and Injunctive Relief
 19 on August 4, 2009 against Sunware Computer, Inc.
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21 Plaintiff served Sunware Computer Inc. on August 6, 2009. The proof of service has
 22 not been filed yet. Accordingly, Defendant Sunware Computer, Inc. has until August 26, 2009,
 23 to respond to Plaintiff's Complaint.
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STIPULATION AND ~~[PROPOSED]~~ ORDER EXTENDING DEFENDANT'S TIME TO ANSWER
 COMPLAINT AND EXTENDING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES
 CASE NO. C 09-03564 MHP

1 On August 14, 2009 Defendant Sunware Computer, Inc. retained The Law Office of
2 Anne Hiaring to represent it in this matter.

3 On August 14, 2009, counsel for Defendant discussed this litigation with counsel for
4 Plaintiff, and discussed the deadline for Defendant Sunware Computer, Inc. to file its answer to
5 Plaintiff's complaint and agreed to a 30-day extension.
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8 **I. DEFENDANT'S TIME TO ANSWER**

9 The parties stipulate and respectfully request that the time within which Defendant may
10 respond to the Complaint filed by Plaintiff will be extended by this Court from August 26,
11 2009 to September 25, 2009 or such date as this Court may order.

12 The parties believe good cause exists for the Court to grant an extension of time for
13 Sunware Computer, Inc. to respond to Plaintiff's Complaint because of discussions regarding
14 resolution of the action.
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17 **II. CASE MANAGEMENT AND ALTERNATIVE DISPUTE RESOLUTION**
18 **DEADLINES**

19 The parties further stipulate and respectfully request that this Court also extend by thirty
20 (30) days, or as soon thereafter as the Court deems convenient, the initial case management and
21 alternative dispute resolution deadlines as set forth in this Court's Order dated August 4, 2009
22 as follows:
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1. Last day to meet and confer re: initial disclosures, early settlement, ADR process selection, and discovery plan; file joint ADR Certification with Stiputation to ADR Process or notice of Need for ADR Phone conference is extended to November 25, 2009;
2. Last day to complete initial disclosures or state objection in Rule 26(f) Report, file Case Management Statement and file/serve Rule 26(f) Report is extended to December 9, 2009; and
3. Case Management Conference (CMC) in Courtroom 15, 18th Floor, San Francisco at 4:00 p.m. is extended to December 16, 2009.

The parties believe good cause exists for the Court to grant an extension of time of the case management and alternative dispute resolution deadlines because of discussions regarding resolution of the action.

Respectfully Submitted,

LAW OFFICE OF ANNE HIARING

DATED: 8.19.09

By: 

Anne Haring Hocking, Esq.
Kristin DeLa Vega, Esq.
Attorneys for Defendant

STIPULATED TO

FENWICK & WEST LLP

DATED: 8/19/09

By: 

Eric Ball, Esq.
Jedediah Wakefield, Esq.
Attorneys for Plaintiff

IT IS SO ORDERED. 8/20/2009

STIPULATION AND [PROPOSED] ORDER EXTENDING
COMPLAINT AND EXTENDING INITIAL CASE MANAGEM
CASE NO. C 09-03564



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DATED: _____

By: _____
HON. MARILYN HALL PATEL
United States District Court Judge

STIPULATION AND [PROPOSED] ORDER EXTENDING DEFENDANT'S TIME TO ANSWER
COMPLAINT AND EXTENDING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES
CASE NO. C 09-03564 MHP

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF MARIN

I am employed in the County of Marin, State of California; my business address is 711 Grand Avenue, Suite 260, San Rafael, California 94901; I am over the age of 18 and not a party to the within action. On this date I served the following documents:

STIPULATION AND [PROPOSED] ORDER EXTENDING SUNWARE COMPUTER INC.'S TIME TO ANSWER COMPLAINT AND EXTENDING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES

on the parties shown below:

Jedediah Wakefield, Esq.
Fenwick & West LLP
555 California Street, 12th Floor
San Francisco, CA 94104

Eric Ball, Esq.
Fenwick & West LLP
Silicon Valley Center
801 California Street
Mountain View, CA 94041

Attorneys for Plaintiff
Sun Microsystems, Inc.

____ (BY FAX) I am readily familiar with the firm's practice of facsimile transmission; on this date the above-referenced documents were transmitted, the transmission was reported as complete and without error and the report was properly issued.

 X (BY MAIL) I am readily familiar with the firm's practice for the processing of mail; on this date, the above-referenced documents were placed for collection and delivery by the U.S. Postal Service following ordinary business practices.

____ (BY OVERNIGHT DELIVERY) I am readily familiar with the firm's practice for the processing of documents for delivery services; on this date, the above-referenced documents were placed for collection and delivery following ordinary business practices.

____ (BY ELECTRONIC FILING) On this date I provided the documents(s) listed above electronically through the Court's electronic filing service provider pursuant to the instructions on that website.

____ (BY E-MAIL) On this date, the above-referenced documents were converted to Adobe files and e-mailed to the addresses shown.

____ (BY PERSONAL SERVICE) I caused the above documents to be delivered by hand pursuant to CCP § 1011.

 X Federal: I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

State: I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed this 19 day of August, 2009 at San Rafael, California.

Meghan Auerswald

PROOF OF SERVICE
Case No. C 09-03564